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May 8, 2010

The Honorable Richard D. Bennett  
U.S. District Court of Maryland  
101 W. Lombard Street 6500  
Baltimore, MD 21201

Re.: ***Johnson v. Midland Funding***  
Case No. RDB-09-2391  
*Notice of Additional Supplemental Authority  
Related to Defendant's Motion for Summary  
Judgment*

Dear Judge Bennett:

Plaintiffs have just learned the Maryland State Collection Agency Licensing Board (“Board”) has issued an Advisory Notice to Maryland Collection Agencies on May 5, 2010 that is relevant to the issues addressed by the Court concerning the pending Motion for Summary Judgment by Defendant Midland Funding LLC. *See Exhibit 1, Advisory 05-10.* In this advisory the Board states:

The Board wishes to clarify that **it has been its consistent position that a Consumer Debt Purchaser that collects consumer claims through civil litigation is a “collection agency”** under Maryland law and required to be licensed as such, regardless of whether an attorney representing the Consumer Debt Purchaser in the litigation is a licensed collection agency. Annotated Code of Maryland, Business Regulation Article (“BR”) § 7-101(c).

*Id. (emphasis added).*

Since Advisory 05-10 directly applies to Defendant Midland Funding, LLC’s declared defenses in this matter, and in view of the Supreme Court’s recent decision in *Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA*, --- S.Ct. ----, 2010 WL 1558977 (2010), Plaintiffs respectfully request the Court to take notice of the advisory as it continues consideration of the pending Motion for Summary Judgment.

Respectfully,

//s//

Phillip Robinson

cc: All Parties & Counsel by ECF